

REMARKS

Claims 1-12 are pending in the application and were rejected. Claim 1 was objected to. Claim 1 has been amended to correct the informalities kindly noted by the Examiner.

Claim 1 was rejected under 35 USC § 102(a) as being disclosed by Parulski JP02002202986A. At the outset it is noted that Parulski does not disclose a user identifier. What Parulski discloses is a label identifier which identifies a selected metadata label, such as for example a person in the image, or the place where the image was taken. It is not a user identifier. Claim 1 requires storage in an image file of affective information which relates to the feelings or emotions of the user. Clearly claim 1 is different than the disclosure of Parulski. Parulski is not a reference since it was copending with the present application and was not published prior to filing the present application. The corresponding U.S. Patent is 6,629,104. Applicants hereby submit a terminal disclaimer. Accordingly, it is believed that the rejection of claim 1 should now be removed.

Claims 3 and 4 were rejected under 35 USC § 103(a) as being unpatentable over Parulski as applied to claim 1 above, and further in view of Chang et al. (200300355767). Claim 5 was rejected under 35 USC § 103(a) as being unpatentable over Parulski as applied to claim 1 above, and further in view of Pierce et al (US 6,327,580). Claims 2, 6-12 were rejected under 35 USC § 103(a) as being unpatentable over Parulski as applied to claim 1 above, and further in view of Zadrozny et al (20020084902).

Parulski has been discussed above.

Applicants believe that Chang et al is also not a reference under the Doctrine of In Re Hilmer. Chang et al was filed in Europe on April 17, 2001 and in the U.S. on April 15, 2002, after the present filing date of December 26, 2001. Accordingly, this rejection should be removed.

Pierce et al does indeed disclose a JPEG image but does not have any disclosure relating to the subject matter of claim 1. Claim 5 should be allowed along with claim 1.

Zadrozny et al relates to a system and method of interpreting behavior of infants and toddlers. Fig. 4 depicts fields in a behavior code database

record. The fields include a behavior ID 305, a link 310 to compressed recordings and an individual ID 350. The link 310 permits access to a string of audio frames and image frames of an infant or toddler. The compressed recording is a recording of an infant or toddler (identified in the individual ID 350) exhibiting the behavior identified in the behavior ID 305. However, the fields do not include any type of affective information which relates to the feelings or emotions of the user to the compressed recording. Since there is no disclosure or suggestion of this feature in Zadrozny et al, it is believed that claim 1 and all the remaining dependent claims which depend on claim 1 should be allowable.

It is believed that these changes now make the claims clear and definite and, if there are any problems with these changes, Applicants' attorney would appreciate a telephone call.

In view of the foregoing, it is believed none of the references, taken singly or in combination, disclose the claimed invention. Accordingly, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

Respectfully submitted,



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Enclosure